



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2443

DATE SCANNED 2-15-12

SCANNER NO. 2

SCAN OPERATOR Imc

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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March 30, 2011

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Acting Staff Director

FROM: Patricia Carmona *PC*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: Jodi Winship/Sari Pickeral *JP*  
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2010 Year-End Report for the  
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2010 Year-End Report in accordance with 2 U.S.C. 434(a). The Year-End Report was due on January 31, 2011.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report more than five (5) days but no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

**Recommendation**

1. Find reason to believe that all other political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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Federal Election Commission  
Reason to Believe Circulation Report  
2010 YEAR-END Not Election Sensitive 01/31/2011 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2397	C00397083	AMERICAN TELESERVICES ASSOCIATION PAC		TIMOTHY SEARCY	\$171,491	0	2/17/2011	17	\$6,454	\$140
2398	C00413856	ASSOCIATIONS INC. PAC/ASSOCIA PAC		NANCY CUSHMAN	\$100,944	0	3/2/2011	30	\$13,715	\$260
2399	C00434324	BEN GRABER FOR CONGRESS	GRABER, BENJAMIN	BENJAMIN GRABER	\$146,008	0	2/27/2011	27	\$9,600	\$190
2400	C00118828	BOILERMAKERS LOCAL 85 FEDERAL POLITICAL ACTION COMMITTEE		FRED E. KEITH JR.	\$108,428	0	2/28/2011	28	\$874	\$165
2401	C00458349	BURRIS FOR SENATE	BURRIS, ROLAND W	RAYMOND DAVIS	\$162,061	0	2/7/2011	7	\$19,455	\$145

2403	C00486662	CHET D TRAYLOR FOR US SENATE CAMPAIGN	TRAYLOR, CHET D	LARRY W. PICKETT	\$191,340	0		Not Filed	\$95,670 (est)	\$3,850
2404	C00326066	CIRO RODRIGUEZ FOR CONGRESS	RODRIGUEZ, CIRO D.	LUIS R. VERA	\$3,294,855	0	2/13/2011	13	\$16,250	\$175
2405	C00467423	CITIZENS FOR CHRIS GEISSLER	GEISSLER, CHRISTOPHER TODD	MICHAEL JORUDD	\$109,360	0		Not Filed	\$21,872 (est)	\$550
2406	C00486902	CITIZENS FOR JOHN HAGER	HAGER, JOHN VICTOR	ANDREW A. HAGER	\$210,805	0		Not Filed	\$70,268 (est)	\$2,970
2407	C00471482	CODAY FOR US SENATE	CODAY, ARTHUR JR MD	ARTHUR CODAY, JR. MD	\$168,127	0		Not Filed	\$33,625 (est)	\$990
2408	C00476879	COMMITTEE FOR BARBARA OLSCHNER FOR CONGRESS	OLSCHNER, BARBARA F	STEVEN "BO" SMITH	\$122,703	0		Not Filed	\$30,676 (est)	\$990
2409	C00462531	COMMITTEE TO ELECT DR GREG RABIDOUX	RABIDOUX, GREG ROBERT DR	KIMBERLEE E. SMITH	\$158,153	0		Not Filed	\$3,119	\$250
2410	C00468557	COMMITTEE TO ELECT JEAN KURTIS SCHODORF FOR CONGRESS	SCHODORF, JEAN KURTIS	MARILYN CHAPMAN HANSEN	\$225,121	0		Not Filed	\$37,520 (est)	\$990

2412	C00484691	COMMITTEE TO ELECT GLENN WILSON FOR US CONGRESS	WILSON, GLENN A	DEBORAH K. HAMILTON	\$245,513	0		Not Filed	\$61,378 (est)	\$2,970
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2415	C00357640	CORINTHIAN COLLEGES INC PAC		PAUL DE GIUSTI	\$174,077	0		Not Filed	\$14,506 (est)	\$550
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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2416	C00465773	DEON LONG FOR CONGRESS	LONG, OMETRIAS DEON	DEON LONG	\$252,205	1		Not Filed	\$84,068 (est)	\$4,812
2417	C00448241	DOUG TUDOR FOR CONGRESS	TUDOR, DOUGLAS DAVID	DOUGLAS D. TUDOR	\$103,206	3		Not Filed	\$12,901 (est)	\$962
2418	C00482588	DOUGHERTY SENATE CAMPAIGN COMMITTEE	DOUGHERTY, JOHN E III	DR. JODHA KHALSA	\$320,109	0	2/18/2011	18	\$9,744	\$145
2419	C00453498	EARL HENRY SHOLLEY FOR CONGRESS	SHOLLEY, EARL HENRY	RONALD A. GENGO	\$168,568	0		Not Filed	\$21,071 (est)	\$550
2420	C00468694	ERIC WNUCK 2010	WNUCK, ERIC	ERIC WNUCK	\$434,191	1		Not Filed	\$108,548 (est)	\$6,187
2421	C00487231	EUGENE GREEN FOR CONGRESS COMMITTEE	GREEN, EUGENE J JR	EUGENE V. M. GREEN	\$135,872	0		Not Filed	\$67,936 (est)	\$2,970
2422	C00468247	FERRE 2010	FERRE, MAURICE	ELIZABETH M. TTFREAIIT	\$568,529	0	2/7/2011	7	\$11,994	\$145

2424	C00404350	FRESNO COUNTY DEMOCRATIC WOMEN'S CLUB/DEMOCRATS IN ACTION		HELEN WILSON	\$106,303	0	2/28/2011	28	\$8,669	\$195
2425	C00477646	FRIENDS OF DAVID MADEIRA	MADEIRA, DAVID JAMES	MICHAEL LACEY	\$120,785	0		Not Filed	\$30,196 (est)	\$990
2426	C00481184	FRIENDS OF ROSS BIELING	BIELING, ROSS PARKER	ROSS PARKER BIELING	\$385,138	0		Not Filed	\$128,379 (est)	\$4,950
2427	C00483289	HEALY FOR NY	HEALY, TIMOTHY J	JULIAN H. GINGOLD	\$241,704	0	2/25/2011	25	\$23,094	\$235
2428	C00465856	HENDRY FOR CONGRESS	HENDRY, EDDIE	JOHN NESMITH	\$137,863	0		Not Filed	\$22,977 (est)	\$550
2429	C00483115	HERMANATOR PAC; THE		SCOTT D. TOOMEY	\$441,646	0	2/9/2011	9	\$112,779	\$1,785
2430	C00459412	IRAQ VETERANS FOR CONGRESS POLITICAL ACTION COMMITTEE		CHRIS COVUCCI	\$1,632,238	0	2/24/2011	24	\$65,384	\$2,310
2431	C00478057	JAMES MILANO FOR CONGRESS	MILANO, JAMES	PATRICIA A. FRIEDMAN	\$296,381	0	2/25/2011	25	\$3,385	\$150
2432	C00460642	JIM PICCILLO FOR CONGRESS	PICCILLO, JAMES JOHN	SANDI KEEBLE	\$296,266	0		Not Filed	\$32,918 (est)	\$990
2433	C00484303	JOHNSON FOR CONGRESS	JOHNSON, HARRY CLAUD	HARRY JOHNSON	\$121,900	0		Not Filed	\$60,950 (est)	\$2,970
2434	C00482893	JOYCE JOHNSON FOR CONGRESS 2010	JOHNSON, JOYCE STANLEY	MYRNA PHILLIPS OAKLEY	\$106,799	0		Not Filed	\$35,600 (est)	\$990
2435	C00459420	KEVIN BURNS 4 US SENATE	BURNS, KEVIN A	ROB FLINT	\$189,847	0		Not Filed	\$31,641 (est)	\$990
2436	C00477703	KEVIN POWELL FOR CONGRESS 2010	POWELL, KEVIN	LLOYD COLONA	\$349,015	0		Not Filed	\$116,338 (est)	\$4,950
2437	C00469189	KOLOSSO FOR CONGRESS ELECTION COMMITTEE	KOLOSSO, TODD P	DANIEL KYLE	\$351,090	1		Not Filed	\$58,515 (est)	\$3,712
2438	C00469791	KUIPERS FOR CONGRESS	KUIPERS, WAYNE	TODD LAMBERS	\$464,446	0		Not Filed	\$92,889 (est)	\$3,850
2439	C00463273	LOWRY FOR CONGRESS	LOWRY, ROBERT PAUL	RUTH BELL	\$165,549	0		Not Filed	\$27,592 (est)	\$990

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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2440	C00446468	LYNCH FOR CONGRESS	LYNCH, EDWARD J	EDWARD LYNCH	\$260,513	3		Not Filed	\$32,564 (est)	\$1,732
2441	C00208322	MANAGEMENT AND TRAINING CORPORATION POLITICAL ACTION COMMITTEE		LYLE J. PARRY	\$132,878	0		Not Filed	\$18,983 (est)	\$550
2442	C00480038	MARVIN SCOTT FOR CONGRESS 2010	SCOTT, MARVIN B	FRANK L. MUZZILLO	\$457,006	0	3/8/2011	Not Filed	\$18,757	\$550
2443	C00473959	MATT CAMPBELL FOR CONGRESS	CAMPBELL, MATTHEW	MATTHEW CAMPBELL	\$544,842	1		Not Filed	\$90,807 (est)	\$4,812
2444	C00475095	MATTHEW BURKE FOR CONGRESS	BURKE, MATTHEW	JENNIFER BURKE	\$100,517	0	3/18/2011	Not Filed	\$549	\$250
2445	C00432948	MCGOFF FOR CONGRESS	MCGOFF, JOHN P	MARJORIE O'LAUGHLIN	\$557,306	0		Not Filed	\$69,663 (est)	\$2,970
2446	C00462804	MIGUEL ORTIZ FOR CONGRESS	ORTIZ, MIGUEL ANTONIO	LUIS H. VERA	\$186,923	0	2/7/2011	7	\$31,662	\$340
2447	C00483925	MIKE THURMOND FOR US SENATE 2010	THURMOND, MICHAEL LAMAR	MATTHEW WARE	\$673,081	0	3/1/2011	29	\$11,032	\$255
2448	C00483388	MITCHELL FOR CONGRESS	MITCHELL, JOHN M	JOHN LINDLEY, III	\$107,165	0		Not Filed	\$35,722 (est)	\$990
2449	C00463406	MORGAN FOR CONGRESS	MORGAN, VINCENT SCOTT	HON. RD SNYDEN	\$157,457	1		Not Filed	\$31,491 (est)	\$1,237
2450	C00475806	PAULINA FOR CONGRESS	MORRIS, PAULINA VASQUEZ	LISA GRAHAM KEEGAN	\$623,483	0		Not Filed	\$155,871 (est)	\$6,050
2451	C00461343	PHILLIP BRUTUS FOR CONGRESS	BRUTUS, PHILLIP J	CAMELIA SIGUINEAU	\$151,182	0		Not Filed	\$30,236 (est)	\$990
2452	C00469817	PLUMMER FOR CONGRESS	PLUMMER, GLENN RODNEY	WILBERT SEARS	\$108,514	0		Not Filed	\$27,129 (est)	\$990
2453	C00467027	POLLAK FOR CONGRESS	POLLAK, JOEL BARRY	NEIL JOHNSON	\$1,380,339	0		Not Filed	\$172,542 (est)	\$6,050
2454	C00467886	RATOWITZ FOR CONGRESS	RATOWITZ, DAVID	WAYNE HEUSEL	\$129,832	0		Not Filed	\$16,229 (est)	\$550
2455	C00473595	RICHARD LAKE FOR CONGRESS	LAKE, RICHARD DAVID GEORGE	TERRANCE BRADLEY	\$101,188	0		Not Filed	\$33,729 (est)	\$990
2456	C00474700	ROBBIE WILLS FOR CONGRESS	WILLS, ROBERT DALE JR	JERRY ADAMS	\$1,264,153	0		Not Filed	\$252,831 (est)	\$8,800
2457	C00462309	RUTH MCCLUNG FOR CONGRESS	MCCLUNG, RUTH CRAWFORD	ANNE LOFTFIELD	\$1,421,439	0	2/8/2011	8	\$12,453	\$150
2458	C00014092	SAN BERNARDINO COUNTY REPUBLICAN CENTRAL COMMITTEE-FEDERAL		KIRK LARSON	\$116,381	0	2/18/2011	18	\$344	\$115
2459	C00468199	SCHIFF FOR SENATE	SCHIFF, PETER DAVID	ANDREW SCHIFF	\$6,895,439	0		Not Filed	\$1,149,240 (est)	\$12,000

2461	C00477471	SPIKE MAYNARD FOR CONGRESS	MAYNARD, ELLIOTT EDWARD	ROBERT EDWARD RYAN	\$2,045,859	0		Not Filed	\$340,977 (est)	\$8,800
2462	C00473603	STEVE CLARK FOR CONGRESS	CLARK, STEVE	RICK DIRKSE	\$1,236,249	1		Not Filed	\$309,062 (est)	\$11,000

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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2463	C00467761	SUE LOWDEN FOR U S SENATE	LOWDEN, SUE	BOB BEERS	\$8,110,396	0	3/3/2011	Not Filed	\$41,529	\$990
2464	C00475772	THE COMMITTEE TO ELECT DINO LAVERGHETTA	LAVERGHETTA, DINO	ROSE LAVERGHETTA	\$205,205	0		Not Filed	\$34,201 (est)	\$990
2465	C00475038	THOMAS C CASTELLANO CAMPAIGN FUND	CASTELLANO, THOMAS C	MARK A. GARCIA	\$102,513	0		Not Filed	\$20,503 (est)	\$550
2466	C00465336	TOM WESLEY FOR US CONGRESS	WESLEY, TOM	PAUL M. YANOVITCH	\$281,751	0		Not Filed	\$35,219 (est)	\$990
2467	C00469304	TOM WIENS FOR US SENATE INC	WIENS, THOMAS J	FRANK SHAW	\$3,133,345	0		Not Filed	\$783,336 (est)	\$11,000
2468	C00335091	TRANSPORTATION INTERMEDIARIES ASSOCIATION'S TIAPAC		ROBERT A. VOLTSMANN	\$107,050	0	2/24/2011	24	\$4,300	\$145
2469	C00381699	USINPAC		MILES C. HOGE	\$159,433	0		Not Filed	\$39,858 (est)	\$990

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Reason To Believe Recommendation - 2010 )  
Year-End Report for the Administrative )  
Fine Program: )  
SUE LOWDEN FOR U S SENATE, and ) AF# 2463  
BOB BEERS as treasurer; )  
ASSOCIATIONS INC. PAC/ASSOCIA ) AF# 2398  
PAC, and CUSHMAN, NANCY as )  
treasurer; )  
MIKE THURMOND FOR US SENATE ) AF# 2447  
2010, and MATTHEW WARE as treasurer; )  
BOILERMAKERS LOCAL 85 FEDERAL ) AF# 2400  
POLITICAL ACTION COMMITTEE, and )  
FRED E KEITH JR as treasurer; )  
FRESNO COUNTY DEMOCRATIC ) AF# 2424  
WOMEN'S CLUB/DEMOCRATS IN )  
ACTION, and HELEN WILSON as )  
treasurer; )  
BEN GRABER FOR CONGRESS, and ) AF# 2399  
BENJAMIN GRABER as treasurer; )  
HEALY FOR NY, and JULIAN H ) AF# 2427  
GINGOLD as treasurer; )  
JAMES MILANO FOR CONGRESS, and ) AF# 2431  
PATRICIA A FRIEDMAN as treasurer; )  
IRAQ VETERANS FOR CONGRESS ) AF# 2430  
POLITICAL ACTION COMMITTEE, and )  
CHRIS COVUCCI as treasurer; )  
TRANSPORTATION INTERMEDIARIES ) AF# 2468  
ASSOCIATION'S TIAPAC, and ROBERT )  
A VOLTSMANN as treasurer; )  
DOUGHERTY SENATE CAMPAIGN ) AF# 2418  
COMMITTEE, and DR JODHA KHALSA )  
as treasurer; )  
SAN BERNARDINO COUNTY ) AF# 2458  
REPUBLICAN CENTRAL COMMITTEE- )  
FEDERAL, and LARSON, KIRK as )  
treasurer; )

Federal Election Commission  
Certification for Administrative Fines  
April 01, 2011

Page 2

AMERICAN TELESERVICES ) AF# 2397  
ASSOCIATION PAC, and SEARCY, TIM )  
MR. as treasurer; )  
CIRO RODRIGUEZ FOR CONGRESS, ) AF# 2404  
and VERA, LUIS R. MR. as treasurer; )  
HERMANATOR PAC; THE, and SCOTT ) AF# 2429  
D TOOMEY as treasurer; )  
RUTH MCCLUNG FOR CONGRESS, and ) AF# 2457  
ANNE LOFTFIELD as treasurer; )  
BURRIS FOR SENATE, and RAYMOND ) AF# 2401  
DAVIS as treasurer; )  
FERRE 2010, and ELIZABETH M ) AF# 2422  
TETREAULT as treasurer; )  
MIGUEL ORTIZ FOR CONGRESS, and ) AF# 2446  
LUIS H VERA as treasurer; )

CHET D TRAYLOR FOR US SENATE ) AF# 2403  
CAMPAIGN, and LARRY W PICKETT as )  
treasurer; )  
CITIZENS FOR CHRIS GEISSLER, and ) AF# 2405  
MICHAEL JORUDD as treasurer; )  
CITIZENS FOR JOHN HAGER, and ) AF# 2406  
ANDREW A HAGER as treasurer; )  
CODAY FOR US SENATE, and ARTHUR ) AF# 2407  
CODAY JR MD as treasurer; )  
COMMITTEE FOR BARBARA ) AF# 2408  
OLSCHNER FOR CONGRESS, and )  
STEVEN "BO" SMITH as treasurer; )  
COMMITTEE TO ELECT DR GREG ) AF# 2409  
RABIDOUX, and KIMBERLEE E SMITH )  
as treasurer; )  
COMMITTEE TO ELECT JEAN KURTIS ) AF# 2410  
SCHODORF FOR CONGRESS, and )  
MARILYN CHAPMAN HANSEN as )  
treasurer; )

COMMITTEE TO ELECT GLENN ) AF# 2412  
WILSON FOR US CONGRESS, and )  
DEBORAH K HAMILTON as treasurer; )

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CORINTHIAN COLLEGES INC PAC, and ) AF# 2415  
DE GIUSTI, PAUL as treasurer; )  
DEON LONG FOR CONGRESS, and ) AF# 2416  
DEON LONG as treasurer; )  
DOUG TUDOR FOR CONGRESS, and ) AF# 2417  
DOUGLAS D. TUDOR as treasurer; )  
EARL HENRY SHOLLEY FOR ) AF# 2419  
CONGRESS, and RONALD A GENGO as )  
treasurer; )  
ERIC WNUCK 2010, and ERIC WNUCK ) AF# 2420  
as treasurer; )  
EUGENE GREEN FOR CONGRESS ) AF# 2421  
COMMITTEE, and EUGENE V M GREEN )  
as treasurer; )

FRIENDS OF DAVID MADEIRA, and ) AF# 2425  
MICHAEL LACEY as treasurer; )  
FRIENDS OF ROSS BIELING, and ) AF# 2426  
BIELING, ROSS PARKER as treasurer; )  
HENDRY FOR CONGRESS, and JOHN ) AF# 2428  
NESMITH as treasurer; )  
JIM PICCILLO FOR CONGRESS, and ) AF# 2432  
SANDI KEEBLE as treasurer; )  
JOHNSON FOR CONGRESS, and ) AF# 2433  
HARRY JOHNSON as treasurer; )  
JOYCE JOHNSON FOR CONGRESS ) AF# 2434  
2010, and MYRNA PHILLIPS OAKLEY )  
as treasurer; )  
KEVIN BURNS 4 US SENATE, and ROB ) AF# 2435  
FLINT as treasurer; )  
KEVIN POWELL FOR CONGRESS 2010, ) AF# 2436  
and LLOYD COLONA as treasurer; )  
KOLOSSO FOR CONGRESS ELECTION ) AF# 2437  
COMMITTEE, and DANIEL KYLE as )  
treasurer; )  
KUIPERS FOR CONGRESS, and TODD ) AF# 2438  
LAMBERS as treasurer; )

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Federal Election Commission  
Certification for Administrative Fines  
April 01, 2011

Page 4

LOWRY FOR CONGRESS, and BELL, ) AF# 2439  
RUTH as treasurer; )  
LYNCH FOR CONGRESS, and EDWARD ) AF# 2440  
LYNCH as treasurer; )  
MANAGEMENT AND TRAINING ) AF# 2441  
CORPORATION POLITICAL ACTION )  
COMMITTEE, and LYLE J PARRY as )  
treasurer; )  
MARVIN SCOTT FOR CONGRESS 2010, ) AF# 2442  
and FRANK L MUZZILLO as treasurer; )  
MATT CAMPBELL FOR CONGRESS, ) AF# 2443  
and MATTHEW CAMBBELL as treasurer; )  
MATTHEW BURKE FOR CONGRESS, ) AF# 2444  
and BURKE, JENNIFER as treasurer; )  
MCGOFF FOR CONGRESS, and ) AF# 2445  
O'LAUGHLIN, MARJORIE as treasurer; )  
MITCHELL FOR CONGRESS, and JOHN ) AF# 2448  
LINDLEY III as treasurer; )  
MORGAN FOR CONGRESS, and ) AF# 2449  
SNYDEN, RD HON. as treasurer; )  
PAULINA FOR CONGRESS, and LISA ) AF# 2450  
GRAHAM KEEGAN as treasurer; )  
PHILLIP BRUTUS FOR CONGRESS, and ) AF# 2451  
CAMELIA SIGUINEAU as treasurer; )  
PLUMMER FOR CONGRESS, and ) AF# 2452  
WILBERT SEARS as treasurer; )  
POLLAK FOR CONGRESS, and ) AF# 2453  
JOHNSON, NEIL as treasurer; )  
RATOWITZ FOR CONGRESS, and ) AF# 2454  
WAYNE HEUSEL as treasurer; )  
RICHARD LAKE FOR CONGRESS, and ) AF# 2455  
BRADLEY, TERRANCE as treasurer; )  
ROBBIE WILLS FOR CONGRESS, and ) AF# 2456  
JERRY ADAMS as treasurer; )  
SCHIFF FOR SENATE, and ANDREW ) AF# 2459  
SCHIFF as treasurer; )

SPIKE MAYNARD FOR CONGRESS, and ) AF# 2461  
ROBERT EDWARD RYAN as treasurer; )  
STEVE CLARK FOR CONGRESS, and ) AF# 2462  
RICK DIRKSE as treasurer; )  
THE COMMITTEE TO ELECT DINO ) AF# 2464  
LAVERGHETTA, and LAVERGHETTA, )  
ROSE as treasurer; )

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THOMAS C CASTELLANO CAMPAIGN ) AF# 2465  
FUND, and MARK A GARCIA as )  
treasurer; )  
TOM WESLEY FOR US CONGRESS, and ) AF# 2466  
PAUL M YANOVITCH as treasurer; )  
TOM WIENS FOR US SENATE INC, and ) AF# 2467  
FRANK SHAW as treasurer; )  
USINPAC, and HOGE, MILES C. MR. as ) AF# 2469  
treasurer; )

CERTIFICATION

I, Shelley E. Garr, Deputy Secretary of the Federal Election Commission, do hereby certify that on April 01, 2011 the Commission took the following actions on the Reason To Believe Recommendation - 2010 Year-End Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated March 30, 2011, on the following committees:

AF#2463 Decided by a vote of 6-0 to: (1) find reason to believe that SUE LOWDEN FOR U S SENATE, and BOB BEERS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2398 Decided by a vote of 6-0 to: (1) find reason to believe that ASSOCIATIONS INC. PAC/ASSOCIA PAC, and CUSHMAN, NANCY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2447 Decided by a vote of 6-0 to: (1) find reason to believe that MIKE THURMOND FOR US SENATE 2010, and MATTHEW WARE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2400 Decided by a vote of 6-0 to: (1) find reason to believe that BOILERMAKERS LOCAL 85 FEDERAL POLITICAL ACTION COMMITTEE, and FRED E KEITH JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2424 Decided by a vote of 6-0 to: (1) find reason to believe that FRESNO COUNTY DEMOCRATIC WOMEN'S CLUB/DEMOCRATS IN ACTION, and HELEN WILSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2399 Decided by a vote of 6-0 to: (1) find reason to believe that BEN GRABER FOR CONGRESS, and BENJAMIN GRABER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2427 Decided by a vote of 6-0 to: (1) find reason to believe that HEALY FOR NY, and JULIAN H GINGOLD as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2431 Decided by a vote of 6-0 to: (1) find reason to believe that JAMES MILANO FOR CONGRESS, and PATRICIA A FRIEDMAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2430 Decided by a vote of 6-0 to: (1) find reason to believe that IRAQ VETERANS FOR CONGRESS POLITICAL ACTION COMMITTEE, and CHRIS COVUCCI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2468 Decided by a vote of 6-0 to: (1) find reason to believe that TRANSPORTATION INTERMEDIARIES ASSOCIATION'S TIAPAC, and ROBERT A VOLTSMANN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report;

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(2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2418 Decided by a vote of 6-0 to: (1) find reason to believe that DOUGHERTY SENATE CAMPAIGN COMMITTEE, and DR JODHA KHALSA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2458 Decided by a vote of 6-0 to: (1) find reason to believe that SAN BERNARDINO COUNTY REPUBLICAN CENTRAL COMMITTEE-FEDERAL, and LARSON, KIRK as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2397 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN TELESERVICES ASSOCIATION PAC, and SEARCY, TIM MR. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2404 Decided by a vote of 6-0 to: (1) find reason to believe that CIRO RODRIGUEZ FOR CONGRESS, and VERA, LUIS R. MR. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2429 Decided by a vote of 6-0 to: (1) find reason to believe that HERMANATOR PAC; THE, and SCOTT D TOOMEY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2457 Decided by a vote of 6-0 to: (1) find reason to believe that RUTH MCCLUNG FOR CONGRESS, and ANNE LOFTFIELD as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2401 Decided by a vote of 6-0 to: (1) find reason to believe that BURRIS FOR SENATE, and RAYMOND DAVIS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2422 Decided by a vote of 6-0 to: (1) find reason to believe that FERRE 2010, and ELIZABETH M TETREAULT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2446 Decided by a vote of 6-0 to: (1) find reason to believe that MIGUEL ORTIZ FOR CONGRESS, and LUIS H VERA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2403 Decided by a vote of 6-0 to: (1) find reason to believe that CHET D TRAYLOR FOR US SENATE CAMPAIGN, and LARRY W PICKETT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2405 Decided by a vote of 6-0 to: (1) find reason to believe that CITIZENS FOR CHRIS GEISLER, and MICHAEL JORUDD as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2406 Decided by a vote of 6-0 to: (1) find reason to believe that CITIZENS FOR JOHN HAGER, and ANDREW A HAGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2407 Decided by a vote of 6-0 to: (1) find reason to believe that CODAY FOR US SENATE, and ARTHUR CODAY JR MD as treasurer violated 2 U.S.C. 434(a) and

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make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2408 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE FOR BARBARA OLSCHNER FOR CONGRESS, and STEVEN "BO" SMITH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2409 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT DR GREG RABIDOUX, and KIMBERLEE E SMITH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2410 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT JEAN KURTIS SCHODORF FOR CONGRESS, and MARILYN CHAPMAN HANSEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2412 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT GLENN WILSON FOR US CONGRESS, and DEBORAH K HAMILTON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2415 Decided by a vote of 6-0 to: (1) find reason to believe that CORINTHIAN COLLEGES INC PAC, and DE GIUSTI, PAUL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2416 Decided by a vote of 6-0 to: (1) find reason to believe that DEON LONG FOR CONGRESS, and DEON LONG as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2417 Decided by a vote of 6-0 to: (1) find reason to believe that DOUG TUDOR FOR CONGRESS, and DOUGLAS D. TUDOR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2419 Decided by a vote of 6-0 to: (1) find reason to believe that EARL HENRY SHOLLEY FOR CONGRESS, and RONALD A GENGO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2420 Decided by a vote of 6-0 to: (1) find reason to believe that ERIC WNUCK 2010, and ERIC WNUCK as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2421 Decided by a vote of 6-0 to: (1) find reason to believe that EUGENE GREEN FOR CONGRESS COMMITTEE, and EUGENE V M GREEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2425 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF DAVID MADEIRA, and MICHAEL LACEY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2426 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF ROSS BIELING, and BIELING, ROSS PARKER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2428 Decided by a vote of 6-0 to: (1) find reason to believe that HENDRY FOR CONGRESS, and JOHN NESMITH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2432 Decided by a vote of 6-0 to: (1) find reason to believe that JIM PICCILLO FOR CONGRESS, and SANDI KEEBLE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2433 Decided by a vote of 6-0 to: (1) find reason to believe that JOHNSON FOR CONGRESS, and HARRY JOHNSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2434 Decided by a vote of 6-0 to: (1) find reason to believe that JOYCE JOHNSON FOR CONGRESS 2010, and MYRNA PHILLIPS OAKLEY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2435 Decided by a vote of 6-0 to: (1) find reason to believe that KEVIN BURNS 4 US SENATE, and ROB FLINT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2436 Decided by a vote of 6-0 to: (1) find reason to believe that KEVIN POWELL FOR CONGRESS 2010, and LLOYD COLONA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2437 Decided by a vote of 6-0 to: (1) find reason to believe that KOLOSSO FOR CONGRESS ELECTION COMMITTEE, and DANIEL KYLE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2438 Decided by a vote of 6-0 to: (1) find reason to believe that KUIPERS FOR CONGRESS, and TODD LAMBERS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2439 Decided by a vote of 6-0 to: (1) find reason to believe that LOWRY FOR CONGRESS, and BELL, RUTH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2440 Decided by a vote of 6-0 to: (1) find reason to believe that LYNCH FOR CONGRESS, and EDWARD LYNCH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2441 Decided by a vote of 6-0 to: (1) find reason to believe that MANAGEMENT AND TRAINING CORPORATION POLITICAL ACTION COMMITTEE, and LYLE J PARRY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2442 Decided by a vote of 6-0 to: (1) find reason to believe that MARVIN SCOTT FOR CONGRESS 2010, and FRANK L MUZZILLO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2443 Decided by a vote of 6-0 to: (1) find reason to believe that MATT CAMPBELL FOR CONGRESS, and MATTHEW CAMPBELL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2444 Decided by a vote of 6-0 to: (1) find reason to believe that MATTHEW BURKE FOR CONGRESS, and BURKE, JENNIFER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2445 Decided by a vote of 6-0 to: (1) find reason to believe that MCGOFF FOR CONGRESS, and O'LAUGHLIN, MARJORIE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2448 Decided by a vote of 6-0 to: (1) find reason to believe that MITCHELL FOR CONGRESS, and JOHN LINDLEY III as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2449 Decided by a vote of 6-0 to: (1) find reason to believe that MORGAN FOR CONGRESS, and SNYDEN, RD HQN. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2450 Decided by a vote of 6-0 to: (1) find reason to believe that PAULINA FOR CONGRESS, and LISA GRAHAM KEEGAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2451 Decided by a vote of 6-0 to: (1) find reason to believe that PHILLIP BRUTUS FOR CONGRESS, and CAMELIA SIGUINEAU as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2452 Decided by a vote of 6-0 to: (1) find reason to believe that PLUMMER FOR CONGRESS, and WILBERT SEARS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2453 Decided by a vote of 6-0 to: (1) find reason to believe that POLIAK FOR CONGRESS, and JOHNSON, NEIL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2454 Decided by a vote of 6-0 to: (1) find reason to believe that RATOWITZ FOR CONGRESS, and WAYNE HEUSEL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2455 Decided by a vote of 6-0 to: (1) find reason to believe that RICHARD LAKE FOR CONGRESS, and BRADLEY, TERRANCE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2456 Decided by a vote of 6-0 to: (1) find reason to believe that ROBBIE WILLS FOR CONGRESS, and JERRY ADAMS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2459 Decided by a vote of 6-0 to: (1) find reason to believe that SCHIFF FOR SENATE, and ANDREW SCHIFF as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2461 Decided by a vote of 6-0 to: (1) find reason to believe that SPIKE MAYNARD FOR CONGRESS, and ROBERT EDWARD RYAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2462 Decided by a vote of 6-0 to: (1) find reason to believe that STEVE CLARK FOR CONGRESS, and RICK DIRKSE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2464 Decided by a vote of 6-0 to: (1) find reason to believe that THE COMMITTEE TO ELECT DINO LAVERGHETTA, and LAVERGHETTA, ROSE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2465 Decided by a vote of 6-0 to: (1) find reason to believe that THOMAS C CASTELLANO CAMPAIGN FUND, and MARK A GARCIA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2466 Decided by a vote of 6-0 to: (1) find reason to believe that TOM WESLEY FOR US CONGRESS, and PAUL M YANOVITCH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2467 Decided by a vote of 6-0 to: (1) find reason to believe that TOM WIENS FOR US SENATE INC, and FRANK SHAW as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2469 Decided by a vote of 6-0 to: (1) find reason to believe that USINPAC, and HOGE, MILES C. MR. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 4, 2011  
Date

Shelley E. Garr  
Shelley E. Garr  
Deputy Secretary

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 4, 2011

Matthew Campbell, in official capacity as Treasurer  
Matt Campbell for Congress  
P.O. Box 597  
Sioux City, IA 51101

C00473959  
AF#: 2443

Dear Mr. Campbell:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Year End Report of Receipts and Disbursements every calendar year. This report, covering the period through December 31, 2010, was due no later than January 31, 2011. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On April 1, 2011, the FEC found that there is reason to believe ("RTB") that Matt Campbell for Congress and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before January 31, 2011. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$4,812. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-11.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$4,812 is due within forty (40) days of the finding, or by May 11, 2011, and is based on these factors:

Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$90,807  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 1

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street,

NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or May 11, 2011. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Matt Campbell for Congress and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).



**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

  
Cynthia L. Bauerly  
Chair

---

**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$4,812 for the 2010 Year-End Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The remittance and your payment are due by May 11, 2011. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

---

FOR: Matt Campbell for Congress

FEC ID#: C00473959

AF#: 2443

PAYMENT DUE DATE: May 11, 2011

PAYMENT AMOUNT DUE: \$4,812

12092680028

FEC OFFICE OF  
ADMIN REVIEW  
2011 MAY 26 P 3 03

May 11, 2011

Matt Campbell for Congress  
PO Box 597  
Sioux City, IA 51101

FEC Office of Administrative Review  
999 E Street, NW  
Washington, DC 20463

C00473959  
AF# 2443

Dear Sir or Madam:

The Matt Campbell for Congress campaign committee ("Committee") is in receipt of correspondence from the Federal Election Commission dated April 4, 2011 stating a reason to believe ("RTB") that Matt Campbell for Congress and I, Matt Campbell, in my official capacity as treasurer ("Treasurer"), violated 2 U.S.C. Section 434(a) by failing to file timely a Year-End Report of Receipts and Disbursements. The correspondence assessed a civil money penalty calculated at the RTB stage of \$4,812.

This letter serves as formal challenge to the RTB Finding and Civil Money Penalty.

The basis of the Committee's challenge to the RTB Finding and Civil Money Penalty is primarily (1) the Treasurer's demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond the Treasurer's control and (2) that there was a miscalculation of the calculated civil money penalty, if any, with respect to the final report filed.

11 CFR 111.35(b) notes that the FEC will consider challenges where there was a miscalculation of the calculated civil money penalty by the FEC and when the Treasurer's demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond the Treasurer's control.

The 12/31/10 year-end report has been filed on this date May 11, 2011, and it and the post-general election report will be amended by May 16, 2011. A filing of the 1<sup>st</sup> quarter report and an amended FEC 1 statement will occur within this time frame as well and the Committee and Treasurer will exert best efforts so that the reports are accurate and complete.

**Statement of Relevant Facts and Applicable Law**

During winding-up efforts of the campaign on December 6, 2010, the Committee became aware of electronic charges on the Committee's campaign account that cumulatively resulted in an account deficiency of \$705.15 (see Attachment A). The charges overage related to \$185.00 in bank fees resulting

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from a \$505 overage. The Committee and Treasurer were immediately concerned that the charges could constitute a prohibited contribution from a national bank under 11 CFR 114.2. Upon investigation by the Committee and Treasurer, it was determined that First Data had created duplicate merchant accounts (for receipt of online contributions) and had duplicate billed and overcharged the campaign \$419.50 with respect to the erroneously created second account. A charge of \$340.60 by First Data on December 3, 2011 and prior improper charges caused the cascading issue.

Title 11 CFR 114.2 indicates that an overdraft that does not meet the conditions of 11 CFR 100.82(d) is a prohibited contribution. Those conditions are that the overdraft is made on account subject to automatic overdraft protection; is subject to a definite interest rate which is the usual and customary rate, and is subject to a definite repayment schedule. While the overdraft appeared to meet the conditions so as to not constitute a prohibited transaction in so far as the account was set-up with such related documentation, best efforts were made to resolve the issue prior to the January 30, 2011 deadline in an abundance of caution and concern on the issue.

The Committee and Treasurer's efforts were focused hereafter on resolving the deficiency properly so as to ensure no violation of Title 11 CFR 114.2.

On January 7, 2011, well aware of the January 30, 2011 FEC deadline and following numerous calls to First Data to resolve the issue, correspondence was directed to First Data requesting prompt resolution of the matter (see Attachment B). The Committee and Treasurer's efforts were frustrated because the First Data customer service line was not authorized to handle matters that spanned more than two months. After a lengthy delay, a refund of \$419.50 was finally issued by First Data on April 8<sup>th</sup> 2011 (see Attachment C).

In the interim, the banking account for the committee was charged off by Bank of the West on February 3, 2011 and assigned to The Best Service Company in Los Angeles, California. The Bank of the West declined to reopen the account due to the absence of new contributions leaving the campaign uncertain as to how to process the refund. On May 10, 2011, FEC analyst Vicki Davis at (202) 694-1155 instructed that it would be best to establish a new bank account to process the check and to file a new FEC 1 with the new bank account to continue campaign winding-up efforts and to process the refund to cure the deficiency/charge-off.

The Committee recognizes that circumstances that will not be deemed reasonably unforeseen circumstances beyond the control of respondent include Delays Caused by committee vendors or contractors. 11 CFR 35(d)(2). The delay in filing the December 31, 2010 FEC report was not due to Delays caused by committee vendors or contractors hired to complete the FEC report and was focused on best efforts to ensure that there was no violation of Title 11 CFR 114.2.

The Committee also recognizes that in order for a challenge to be considered on the basis of best efforts, the required report must be filed no later than 24 hours after the end of these reasonably unforeseen circumstances. As noted above, the 12/31/10 year-end report was filed by midnight May 11, 2011 and it and the post-general election report will be amended this week. A filing of the 1<sup>st</sup>

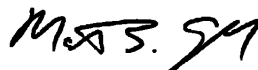
12092680030

quarter report and amended FEC 1 will occur within this time frame as well. The Committee and Treasurer will exert best efforts so that the reports are accurate and complete.

The Treasurer requests any leniency possible with respect to the civil money penalty as the 2010 campaign depleted not only campaign resources but significant personal resources as well creating economic hardship.

Correspondence regarding this matter can be addressed to the address above and a .pdf copy is requested to be forwarded to \_\_\_\_\_ to ensure prompt and timely response to future FEC correspondence regarding this matter.

Very truly yours,



Matthew S. Campbell

Enclosures: Attachment A, B, C & D

12092680031

February 8, 2011

First Data

PO Box 5180

Simi Valley, CA 93062-5180

FAX (402) 916-6905

RE: Account #267419009886, Matt Campbell for Congress

Dear Sir or Madam:

Previously I instructed closure of Account #267419009886 with respect to Matt Campbell for Congress, PO Box 597, Sioux City, Iowa 51102-0597 and requested a refund be issued on the account in correspondence dated January 7, 2011. A copy of the January 7, 2011 correspondence accompanies this letter. Final FEC reports were due at the end of January, and I respectfully request an expedient resolution of this matter.

The closure of the account was then requested as it was discovered that a duplicate First Data account existed for Matt Campbell for Congress. The First Data account utilized for Matt Campbell for Congress campaign purposes was Account #267419009886.

I personally opened the First Data account for my Congressional campaign. After completing the initial application, I received an online prompt that it did not process properly and another online application was completed. Approval of the First Data account was suspended in late January or early February as a form necessary to complete the account approval process had not been returned to First Data. At that time, I learned of the existence of the 2<sup>nd</sup> account.

The representative I dealt with when the account was opened was extremely difficult to work with and repeatedly said she could not activate a First Data account on behalf of the Congressional campaign committee because of what she termed "fraud concerns." Only after I submitted the campaign committee's Federal Election Commission (FEC) identification number and other information was the account approved. This individual was very clear that only one First Data account was required and needed, and I was told at that time that only Account #267419009886 was approved.

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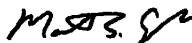
In review of records in preparation of FEC required filings and recent campaign bank activity, I have discovered that Account # \_\_\_\_\_ was improperly handled by the First Data representative I dealt with when the First Data account was opened and that the campaign has been double-billed automatically for both accounts throughout 2010. Account # \_\_\_\_\_ was never utilized by the Congressional campaign committee, had no activity throughout 2010, and was told when the First Data relationship was established that only one account was activated going forward.

First Data fees for Account # \_\_\_\_\_ in 2010 totaled \$419.50.

Matt Campbell for Congress instructs that the \$419.50 be refunded to its Bank of the West campaign bank account (linked with First Data) as soon as possible and requests that the \$30 closure fee with respect to Account # \_\_\_\_\_ be waived due to First Data's error in setting up the First Data account for my U.S. Congressional campaign.

Any questions regarding this correspondence may be directed to me personally at

Very truly yours,



Matthew S. Campbell

Cc: Bank of the West, Carroll, Iowa branch

# Campbell for Congress

Iowa's 5th District

January 7, 2011

First Data

PO Box 5180

Simi Valley, CA 93062-5180

RE: Account                      Matt Campbell for Congress

Dear Sir or Madam:

This letter serves to instruct closure of Account                      with respect to Matt Campbell for Congress, PO Box 597, Sioux City, Iowa 51102-0597.

The closure of the account is requested as it was recently discovered that a duplicate First Data account existed for Matt Campbell for Congress. The First Data account utilized for Matt Campbell for Congress campaign purposes was Account                      .

I personally opened the First Data account for my Congressional campaign. After completing the initial application, I received an online prompt that it did not process properly and another online application was completed. Approval of the First Data account was suspended in late January or early February as a form necessary to complete the account approval process had not been returned to First Data. At that time, I learned of the existence of the 2<sup>nd</sup> account.

The representative I dealt with when the account was opened was extremely difficult to work with and repeatedly said she could not activate a First Data account on behalf of the Congressional campaign committee because of what she termed "fraud concerns." Only after I submitted the campaign committee's Federal Election Commission (FEC) identification number and other information was the account approved. This individual was very clear that only one First Data account was required and needed, and I was told at that time that only Account                      was approved.

## For a Strong America

P.O. Box 597 ★ Sioux City, IA 51101 ★ [www.CampbellForCongress2010.com](http://www.CampbellForCongress2010.com)

Contributions are not tax deductible for Federal Income Tax purposes. Federal law requires political committees to report the name, mailing address, occupation and name of employer for each individual whose contributions aggregate in excess of \$200 in a calendar year. Corporate checks cannot be accepted.



PAID FOR BY MATT CAMPBELL FOR CONGRESS



12092680034



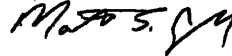
In review of records in preparation of FEC required filings and recent campaign bank activity, I have discovered that Account # [redacted] was improperly handled by the First Data representative I dealt with when the First Data account was opened and that the campaign had been double-billed automatically for both accounts throughout 2010. Account # [redacted] was never utilized by the Congressional campaign committee, had no activity throughout 2010, and was told when the First Data relationship was established that only one account was activated going forward.

First Data fees for Account # [redacted] in 2010 totaled \$419.50.

Matt Campbell for Congress instructs that the \$419.50 be refunded to its Bank of the West campaign bank account (linked with First Data) as soon as possible and requests that the \$30 closure fee with respect to Account # [redacted] be waived due to First Data's error in setting up the First Data account for my U.S. Congressional campaign. Final FEC reports are due at the end of January and we respectfully request an expedient resolution of this matter.

Any questions regarding this correspondence may be directed to me personally at

Very truly yours,



Matthew S. Campbell

Cc: Bank of the West, Carroll, Iowa branch

12092680035



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Via First Class Mail

May 27, 2011

Matthew Campbell, as Treasurer  
Matt Campbell for Congress  
P.O. Box 597  
Sioux City, IA 51101

C00473959  
AF# 2443

Dear Mr. Campbell:

On May 26, 2011, the Commission's Office of Administrative Review ("OAR") received your written response ("challenge") which is being reviewed by OAR. If you have any questions regarding your challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

*Debbie Chacona*

for: Dayna C. Brown  
Reviewing Officer  
Office of Administrative Review

12092680036

**Date:** May 31, 2011

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW  
CHALLENGE RECEIVED**

**AF#:** 2443

**Committee Name:** Matthew Campbell for Congress

**Committee ID#:** C00473959

**Committee Address (if different than in RTB letter):** N

**Treasurer Name (if different than in RTB finding):** N

**Attachments:**

**Copy of RTB Circulation Report, dated March 30, 2011 and RTB Certification, dated April 4, 2011 (Y/N):** N

**Attachment #:** N/A

**Proof of Delivery (to be forwarded at later date if not yet received) (Y/N):** Y

**Attachment #:** 1

**Other Relevant Telecoms (Y/N):** N

**Attachment #:** N/A

**Original Correspondence Received by RAD in Response to RTB Letter (Y/N):** N

**Attachment #:** N/A

**RAD Staff Declaration (Y/N):** Y

**-2010 Year End Report Prior Notice, dated December 27, 2010.**

**-Non-Filar Letter, dated February 16, 2011.**

**-RTB Letter, dated April 4, 2011.**

**Attachment #:** 3

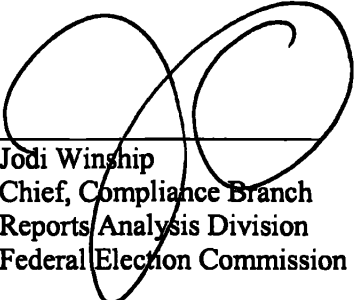
**Other RAD Information: (Y/N):** N

**Attachment#:** N/A

12092680037

## DECLARATION OF JODI WINSHIP

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Matthew Campbell for Congress:
  - A) Prior Notice, dated December 27, 2010, referencing the 2010 Year End Report  
(sent via electronic mail to:  
ADMINISTRATIVE@CAMPBELLFORCONGRESS2010.COM);
  - B) Non-Filer Letter, dated February 16, 2011, referencing the 2010 Year End Report;
  - C) Reason-to-Believe Letter, dated April 4, 2011, referencing the 2010 Year End Report.
3. I hereby certify that I have searched the Commission's public records and find that Matthew Campbell for Congress filed the 2010 Year End Report with the Commission on May 11, 2011.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 31<sup>st</sup> day of May, 2011.

  
Jodi Winship  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission



YEAR-END

# REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

December 27, 2010

## CURRENT REPORT DUE

### I. 2010 GENERAL ELECTION CANDIDATES

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Year-End	11/23/10 - 12/31/10	01/31/11	01/31/11

### II. UNSUCCESSFUL 2010 PRIMARY ELECTION CAMPAIGN COMMITTEES AND CANDIDATES NOT ACTIVE IN 2010 ELECTIONS

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Year-End	10/01/10 - 12/31/10	01/31/11	01/31/11

### NOTE FOR COMMITTEES NOT REQUIRED TO FILE A POST-GENERAL ELECTION REPORT CHART II (see above)

For candidates who ran in 2010 but did not participate in the general election, the reporting period for the Year-End Report spans two election cycles. For this report only, committees should instead use the Post-Election Detailed Summary Page (FEC Form 3, Pages 5-8). Committees should not use the normal Detailed Summary Page.

[Click here for Supplemental Filing Information](#)

[See Page 2 for 2011 Reporting Schedule](#)

<sup>1</sup> A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

12092680039

## REPORTING SCHEDULE FOR 2011

REPORT	CLOSE OF BOOKS <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
April Quarterly	03/31/11	04/15/11	04/15/11
July Quarterly	06/30/11	07/15/11	07/15/11
October Quarterly	09/30/11	10/15/11	10/15/11 <sup>2</sup>
Year-End	12/31/11	01/31/12	01/31/12

[Click here for Supplemental Filing Information](#)

<sup>1</sup>A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

<sup>2</sup>Notice that this filing deadline falls on a weekend. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed by methods other than Registered, Certified or Overnight Mail, or electronically, must be received before the Commission's close of business on the last business day before the deadline.

## 2010 SUPPLEMENTAL FILING INFORMATION CONGRESSIONAL COMMITTEES

**PLEASE NOTE:** The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

### WHO MUST FILE

Principal campaign committees of congressional candidates <sup>1</sup> (including unopposed candidates and candidates whose names do not appear on the ballot) must file a Year-End Report on January 31, 2011. <sup>2</sup>

Campaigns that raise or spend more than \$5,000 for the 2010 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2010, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. See 11 CFR 104.5(a)(2).

Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

### METHODS OF FILING REPORTS

#### Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e).

- Web Page: Electronic Filing Page
- Campaign Guide for Congressional Candidates and Committees (Candidate Guide), pp. 82-84 [PDF]

#### Paper Filing - Meeting the Filing Deadline

Paper Report filing options -- Registered, Certified or Overnight or First Class Mail. See 11 CFR 104.5(e).

- Web Page: Link to Paper Forms (for downloading and printing)
- Candidate Guide, p. 81 [PDF]

<sup>1</sup> Generally, an individual becomes a candidate for federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions or expenditures. If the campaign has not crossed the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a).

<sup>2</sup> If a candidate has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 32 [PDF].

## COMPLIANCE

### Treasurer Responsibility

Committee Treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time. See 11 CFR 104.14(d).

- [Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings \[PDF\]](#)
- [Candidate Guide, p. 7 \[PDF\]](#)

### Administrative Fine Program

Political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- and non-filers).<sup>3</sup>

See 11 CFR 111.30.

- Web Page: [Administrative Fine Program](#)
- [Candidate Guide, pp. 81-82 \[PDF\]](#)

## DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Campaign committees must file [FEC Form 3L \[PDF\]](#) if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,000 during the applicable reporting period ([see page 1 of this notice](#)).

See 11 CFR 104.22 and 110.17(e).

- The Record: [March 2009 issue \[PDF\]](#)

## 2010 REPORTING SCHEDULE

- Web Page: [2010 Reporting Dates Page](#)
- The Record: [January 2010 issue \[PDF\]](#)
- [Candidate Guide, p. 79 \[PDF\]](#)

## IMPORTANT FILING INFORMATION - PAPER FILERS

In response to the 2001 anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC and the Secretary of the Senate.<sup>4</sup> This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail or delivery service, and hand delivery.

<sup>3</sup> Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$17,600, even for first-time violations.

<sup>4</sup> Senate committees should contact the Secretary of the Senate at (202) 224-0322 for more information on filing reports via US mail.

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FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 16, 2011

RQ-7

MATTHEW CAMPBELL, TREASURER  
MATT CAMPBELL FOR CONGRESS  
PO BOX 897  
SIOUX CITY, IA 511019988

IDENTIFICATION NUMBER: C00473959

REFERENCE: YEAR-END REPORT 11/23/2010 - 12/31/2010

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED.

IT IS IMPORTANT THAT YOU FILE THIS REPORT IMMEDIATELY WITH THE FEDERAL ELECTION COMMISSION, 999 E STREET, N.W., WASHINGTON, D.C. 20463 FOR HOUSE CANDIDATES, OR THE SECRETARY OF THE SENATE, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510 (MAILING ADDRESS: OFFICE OF PUBLIC RECORDS, P.O. BOX 2517, ALEXANDRIA, VA 22301), FOR SENATE CANDIDATES. PLEASE NOTE THAT ELECTRONIC FILERS MUST SUBMIT THEIR REPORTS ELECTRONICALLY, AS PER 11 CFR §104.18. A COPY OF THE REPORT MUST ALSO BE FILED WITH THE SECRETARY OF STATE OR EQUIVALENT STATE OFFICER UNLESS THE STATE IS EXEMPT FROM THE FEDERAL REQUIREMENT TO RECEIVE AND MAINTAIN PAPER COPIES. YOU CAN VERIFY THE COMMISSION'S RECEIPT OF ANY DOCUMENTS SUBMITTED BY YOUR COMMITTEE ON THE FEC WEBSITE AT WWW.FEC.GOV.

THE FAILURE TO TIMELY FILE THIS REPORT MAY RESULT IN CIVIL MONEY PENALTIES, AN AUDIT OR LEGAL ENFORCEMENT ACTION. THE CIVIL MONEY PENALTY CALCULATION FOR LATE REPORTS DOES NOT INCLUDE A GRACE PERIOD AND BEGINS ON THE DAY FOLLOWING THE DUE DATE FOR THE REPORT. DUE TO HEIGHTENED SECURITY SCREENING MEASURES, DELIVERY OF MAIL BY THE US POSTAL SERVICE MAY BE DELAYED. THE COMMISSION RECOMMENDS THAT YOU SUBMIT YOUR REPORT VIA OVERNIGHT DELIVERY OR COURIER SERVICE.

IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT IAN WANGHUR AT OUR TOLL FREE NUMBER (800)424-9530. OUR DIRECT LOCAL NUMBER IS (202)694-1130.

SINCERELY,

*Debbie Chacona*

DEBBIE CHACONA  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION (RAD)



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

SECRETARIAT

2011 JUL 25 P 3: 59

**SENSITIVE**

July 25, 2011

**MEMORANDUM**

To: The Commission

Through: Alec Palmer *AP*  
Acting Staff Director

From: Patricia Carmona *PC*  
Chief Compliance Officer

Dayna C. Brown *DCB*  
Reviewing Officer  
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2443 – Matt Campbell for Congress and Matthew Campbell, in his official capacity as Treasurer (C00473959)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment

12092680044



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

July 25, 2011

**REVIEWING OFFICER RECOMMENDATION  
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 2443 – Matt Campbell for Congress and Matthew Campbell, in his official capacity as  
Treasurer (C00473959)

**Summary of Recommendation**

Make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$312 civil money penalty.

**Reason-to-Believe Background**

On April 1, 2011, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2010 Year End Report and made a preliminary determination that the civil money penalty was \$4,812 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter, dated April 4, 2011, was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") to notify them of the Commission's RTB finding and civil money penalty.

**Legal Requirements**

The Federal Election Campaign Act ("Act") states that the treasurer of a principal campaign committee shall file a report for the quarter ending December 31 no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(2)(A)(iii) and 11 C.F.R. § 104.5(a)(1)(i). Reports electronically filed must be received and validated at or before 11:59 p.m., Eastern Standard/Daylight Time on January 31 to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

**Respondents' Challenge**

On May 26, 2011, the Commission received the written response ("challenge") from Matthew Campbell, Candidate and Treasurer, challenging the RTB finding and penalty. Mr. Campbell states that they used their best efforts to file but were prevented from doing so due to unforeseen reason beyond their control. He explains that while winding-up the campaign on December 6, they became aware of charges resulting in an account deficiency of \$705.15 related to \$185 in back fees resulting from a \$505 overage. An investigation into the matter determined that First Data created duplicate accounts for them and consequently double billed and overcharged the campaign causing the cascading issue. Mr. Campbell states that they were immediately concerned that the overage on their account could constitute a prohibited contribution from a national bank under 11 C.F.R. § 114.2, though the overdraft appeared to meet the exemption conditions outlined in 11 C.F.R. § 106.82(d).

12092680046

Aware of the filing deadline and following several calls to First Data to resolve the issue, on January 7 they sent a letter to First Data requesting a prompt resolution to the matter. Mr. Campbell states that their efforts were frustrated because the customer service line was not authorized to handle matters that spanned more than two months. He states that after a lengthy delay, First Data issued a refund on April 8, however, while awaiting the refund, the bank account was charged off by their bank on February 3 and assigned to The Best Service Company. The bank declined to reopen the account given the absence of new contributions and, uncertain of how to process the refund, on May 10, the Committee's RAD Analyst advised them it would be best to establish a new bank account to process the refund check and to submit a new FEC Form 1 Statement of Organization to disclose the new bank account.

Mr. Campbell states that he recognizes that delays caused by vendors or contractors will not be deemed reasonably unforeseen circumstances beyond the control of the respondents and states that the delay in filing the Year End Report was not due to delays caused by vendors or contractors hired by the Committee to complete the report. Instead the Committee was focused on best efforts to ensure there was no 11 C.F.R. § 114.2 violation. He also recognizes that in order for a challenge to be considered on the basis of best efforts, the report must have been filed within 24 hours after the end of the reasonably unforeseen circumstances, and points out that the report was filed on May 11, 2011. Mr. Campbell requests leniency with respect to the penalty, as campaign and personal resources have been depleted, creating economic hardship.

### Analysis

The Year End Report was filed on May 11, 2011, 100 days late.

According to RAD telecoms ("written records of telephone conversations"), on May 9, 2011, the Compliance Analyst called the Treasurer and informed him that the fine for failing to file the Year End Report was due on May 11. The Treasurer asked if he could challenge and indicated that he was having extreme financial hardship. The Compliance Analyst walked him through the challenge criteria and advised him to file the report because doing so may result in a reduction in the fine in accordance with the report's actual level of activity. The following day, and a month after the respondents contend to have received the April 8 refund check which resolved their overage issues, the Treasurer called the Commission requesting to speak with his assigned Reports Analyst. He indicated that the bank closed the Committee's account due to inactivity and that he had received a refund check from a vendor. The Reports Analyst advised the Treasurer to open another bank account and file an Amended Statement of Organization to disclose the new account. This conversation also included discussion of the Committee's negative cash on hand. The Reports Analyst advised the Treasurer that this needed to be corrected and that doing so would require amending previously filed reports.

Given that the respondents had not yet filed the Year End Report on May 10, when the Reports Analyst advised the Treasurer of the need to correct the Committee's negative cash on hand issue, the respondents had a possible prohibited bank contribution well before December 6, 2010, when the challenge asserts they became "immediately concerned" about a possible prohibited contribution due to an account overage. Commission records indicate that on December 2, the respondents filed their 30 Day Post General Report covering the period from October 14, 2010 through November 22, 2010, disclosing an ending cash balance of -\$10,751.

On April 15, 2011, RAD sent the respondents a Request for Additional Information ("RFAI") referencing the 30 Day Post General Report which, among other issues, highlighted that the report's negative ending cash balance may constitute a prohibited bank contribution. It appears, therefore, that while the respondents contend a possible prohibited bank contribution prevented them from timely filing the Year End Report, their prior report also disclosed activity that may have constituted a prohibited bank contribution. The 30 Day Post General Report, however, was still timely filed on December 2, 2010.

The respondents state that the delay in filing the Year End Report was due to their best efforts to ensure there was no 11 C.F.R. § 114.2 prohibited contribution from their bank following an overdraft on their account. The regulations are clear that a best efforts defense will only succeed if the respondents are prevented from timely filing due to reasonably unforeseen circumstances beyond their control. 11 C.F.R. § 111.35(b)(3)(i). The respondents provide no evidence that they were prevented from timely filing. It appears that while they awaited a resolution to the duplicate billing issue that resulted in an overage on their bank account, the respondents chose not to file the report so as to not disclose a possible bank contribution. Failing to timely file the Year End Report, however, did not preclude the fact that as of the report's due date, the respondents had an overage on their account that may have resulted in a prohibited contribution from their bank. Failing to file the report only prevented the disclosure of this information. While the resolution to the matter was not in their control, the matter did not prevent the respondents from filing their report. Therefore their best efforts defense does not succeed.

Under the administrative fine regulations, one of the criteria used to calculate the civil money penalty is the level of activity. 11 C.F.R. § 111.43(d). At the time of the RTB finding the Commission had not received the respondents' 2010 Year End Report; therefore, an estimated level of activity (\$90,807) was used to calculate the RTB civil money penalty. 11 C.F.R. § 111.43(d)(2)(i). The report was filed on May 11 and is considered not filed for purposes of the civil money penalty calculation. 11 C.F.R. § 111.43(e)(1). Their report discloses \$2,352 in receipts and \$50 in disbursements, resulting in an actual level of activity of \$2,402. Therefore, using the schedule of penalties at 11 C.F.R. § 111.43(a) and the level of activity bracket of \$1 - \$4,999.99 for respondents with one previous violation, the civil money penalty is  $\$250 \times [1 + (.25 \times 1)]$  or \$312, reduced from the RTB civil money penalty of \$4,812.

Their challenge fails to meet any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. The other issue raised in the challenge (the respondents' depleted campaign and personal resources), also do not fall within the list of defenses enumerated at 11 C.F.R. § 111.35(b). Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$312.

### **OAR Recommendations**

- (1) Adopt the Reviewing Officer recommendation for AF# 2443 involving Matt Campbell for Congress and Matthew Campbell, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2443 that Matt Campbell for Congress and Matthew Campbell, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed for the period (\$2,402), assess a civil money penalty of \$312 (reduced from the RTB civil money penalty of \$4,812); and
- (3) Send the appropriate letter.

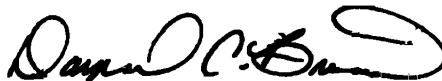
Reviewing Officer: Dayna C. Brown

### **Attachments**

- Attachment 1 – Challenge Received from Respondents
- Attachment 2 – Declaration from RAD
- Attachment 3 – Declaration from OAR

### DECLARATION OF DAYNA C. BROWN

1. I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2010 Year End Report is due January 31, 2011. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m., Eastern Standard/Daylight Time on January 31 to be timely filed.
3. I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
  - (a) Pages 1 and 2 of the Summary Page for the 2010 30 Day Post General Report electronically filed by Matt Campbell for Congress and Matthew Campbell, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from October 14 through November 22, 2010, was received on December 2, 2010, and discloses a Cash on Hand at Close of the Reporting Period of -\$10,751.32 on Line 8;
  - (b) The Request for Additional Information (RQ-2) letter, dated April 15, 2011. According to the Commission's records, the letter references the 30 Day Post General Report (10/14/2010 - 11/22/2010), was sent to Matt Campbell for Congress and Matthew Campbell, and references the report's negative ending cash balance of \$10,751.32 and the possibility of a prohibited bank contribution in item number three; and
  - (c) Page 1 of the Summary Page and pages 3 and 4 of the Detailed Summary Page for the 2010 Year End Report electronically filed by Matt Campbell for Congress and Matthew Campbell, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from November 23, 2010 through December 31, 2010 and was received on May 11, 2011. Line 16, column A lists \$2,352 in total receipts for the period. Line 22, column A lists \$50 in total disbursements for the period.
4. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 25<sup>th</sup> of July, 2011.



Dayna C. Brown  
Reviewing Officer  
Office of Administrative Review  
Federal Election Commission

12092680049

**FEC  
FORM 3****REPORT OF RECEIPTS  
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF  
COMMITTEE (in full)USE FEC MAILING LABEL  
OR TYPE OR PRINTExample: If typing, type  
over the lines

Matt Campbell for Congress

ADDRESS (number and street)

P.O. Box 597

Check if different  
than previously  
reported. (ACC)

Sioux City

IA

51101

2. FEC IDENTIFICATION NUMBER

C00473959

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS  
REPORT

X

NEW  
(N)

OR

AMENDED  
(A)

IA

05

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the  
State of

(c) 30-Day POST-Election Report for the:

X

General (30G)

Runoff (30R)

Special (30S)

Election on

11

02

2010

in the  
State of

IA

5. Covering Period

10

14

2010

through

11

22

2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Matthew Campbell

Signature of Treasurer

Electronically Filed by Matthew Campbell

Date 12 02 2010

NOTE : Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office  
Use  
Only**FEC FORM 3**  
(Revised 02/2003)

FE5AN018

12092680050



**SUMMARY PAGE**  
of Receipts and Disbursements

FEC Form 3 (Revised 02/2003)  
Write or Type Committee Name

2 / 56

Matt Campbell for Congress

Report Covering the Period: From: <sup>M M D D Y Y Y Y</sup>  
1 0 1 4 2 0 1 0 To: <sup>M M D D Y Y Y Y</sup>  
1 1 2 2 2 0 1 0

	<b>COLUMN A</b> <b>This Period</b>	<b>COLUMN B</b> <b>Election Cycle-to-Date</b>
<b>6. Net Contributions (other than loans)</b>		
(a) Total Contributions (other than loans) (from Line 11(e)).....	32960.39	215646.81
(b) Total Contribution Refunds (from Line 20(d)).....	0.00	34.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a)).....	32960.39	215612.81
<b>7. Net Operating Expenditures</b>		
(a) Total Operating Expenditures (from Line 17).....	46836.19	249218.80
(b) Total Offsets to Operating Expenditures (from Line 14).....	0.00	0.00
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a)).....	46836.19	249218.80
<b>8. Cash on Hand at Close of Reporting Period (from Line 27).....</b>	<b>-10751.32</b>	
<b>9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D).....</b>	<b>0.00</b>	
<b>10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D).....</b>	<b>34005.67</b>	

**For further information contact:**

Federal Election Commission  
999 E Street, NW  
Washington, DC 20463  
Toll Free 800-424-9530  
Local 202-694-1100

12092680051

RQ-2

April 15, 2011

MATTHEW CAMPBELL, TREASURER  
MATT CAMPBELL FOR CONGRESS  
PO BOX 597  
SIOUX CITY, IA 51101-9998

**Response Due Date**

IDENTIFICATION NUMBER: C00473959

**05/20/2011**

REFERENCE: 30 DAY POST-GENERAL REPORT (10/14/2010 - 11/22/2010)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 3 item(s):

1. Column B figures for the Summary and Detailed Summary Page information should equal the sum of the Column B figures on your previous report and the Column A figures on this report minus the Column C figures. Please file an amendment to your report to correct the Column B discrepancies for Lines 17, 22 and all subsequent report(s) that may be affected by this correction. Note that Column B should reflect only the election cycle-to-date totals. (2 U.S.C. § 434(b))

2. Schedule A of your report indicates that your committee may have failed to file one or more of the required 48-hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-General Report (see attached). A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. The failure to file 48-hour notices may result in civil money penalties or legal enforcement action. If any contribution of \$1,000 or more was incorrectly reported, you must amend your original report with the clarifying information. (11 CFR § 104.5(f))

12092680052

MATT CAMPBELL FOR CONGRESS

Page 2 of 2

3. Your report discloses a negative ending cash balance of \$10,751.32. This suggests that you have overdrawn your account, made a mathematical error, or incurred a debt. If your committee has incurred a debt or obligation, please itemize this debt on Schedule D, show a zero balance on Line 8 of the Summary Page and include the amount on Line 10. If the negative ending cash balance is a result of an overdraft, it may constitute a prohibited bank contribution unless it is made on an account that has automatic overdraft protection with usual and customary interest rates and a definite repayment schedule. Please file an amendment to your report to accurately disclose your financial activities. (2 U.S.C. § 434(b)(8) and 11 CFR § 104.3(d))

**Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. Requests for extensions of time in which to respond will not be considered.**

**Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended.**

If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1168.

Sincerely,



Michelle Grant  
Senior Campaign Finance Analyst  
Reports Analysis Division

**Missing 48-Hour Notices**

**Matt Campbell for Congress (C00473959)**

**30 Day Post General Report (10/14/10 - 11/22/10)**

**2010 General Election**

**48-Hour Notice Period (10/14/10 - 10/30/10)**

Contributor Name	Date	Amount	Election
CWA - COPE PAC	10/21/2010	\$1,000.00	G2010
Faga, Kay	10/15/2010	\$1,000.00	G2010

12092680054

**FEC  
FORM 3****REPORT OF RECEIPTS  
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF  
COMMITTEE (in full)USE FEC MAILING LABEL  
OR TYPE OR PRINTExample: If typing, type  
over the lines

Matt Campbell for Congress

ADDRESS (number and street)

P.O. Box 597

Check if different  
than previously  
reported. (ACC)

Sioux City

IA

51101

2. FEC IDENTIFICATION NUMBER

C00473959

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS  
REPORT

X

NEW  
(N)

OR

AMENDED  
(A)

IA 05

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

X January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the  
State of

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the  
State of

5. Covering Period

11

23

2010

through

12

31

2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Matthew Campbell

Signature of Treasurer

Electronically Filed by Matthew Campbell

Date

05

10

2010

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office  
Use  
Only**FEC FORM 3**  
(Revised 02/2003)

FE5AN018

12092680055

**DETAILED SUMMARY PAGE**  
of Receipts

FEC Form 3 (Revised 12/2003)

3 / 14

Write or Type Committee Name  
Matt Campbell for Congress

Report Covering the Period:

From:

M M D D Y Y Y Y  
1 1 2 3 2 0 1 0

To:

M M D D Y Y Y Y  
1 2 3 1 2 0 1 0**I. RECEIPTS****COLUMN A**  
Total This Period**COLUMN B**  
Election Cycle-to-Date**11. CONTRIBUTIONS (other than loans) FROM:**(a) Individuals/Persons Other Than  
Political Committees  
(i) Itemized (use Schedule A).....

0.00

0.00

(ii) Unitemized.....

20.00

85.00

(iii) TOTAL of contributions

20.00

85.00

from individuals..... ▶

(b) Political Party Committees.....

0.00

0.00

(c) Other Political Committees  
(such as PACS).....

0.00

0.00

(d) The Candidate.....

0.00

0.00

(e) TOTAL CONTRIBUTIONS

(other than loans)

20.00

85.00

(add Lines 11(a)(iii), (b), (c), and (d))

**12. TRANSFERS FROM OTHER  
AUTHORIZED COMMITTEES.....**

0.00

0.00

**13. LOANS**(a) Made or Guaranteed by the  
Candidate.....

2332.00

3832.00

(b) All Other Loans.....

0.00

0.00

(c) TOTAL LOANS

2332.00

3832.00

(add Lines 13(a) and (b)).....

**14. OFFSETS TO OPERATING**

EXPENDITURES

(Refunds, Rebates, etc.).....

0.00

0.00

**15. OTHER RECEIPTS**

(Dividends, Interest, etc.).....

0.00

0.00

**16. TOTAL RECEIPTS (add Lines**

11(e), 12, 13(c), 14, and 15)

(Carry Total to Line 24, page 4)..... ▶

2352.00

3917.00

12092680056

**DETAILED SUMMARY PAGE**  
of Disbursements

FEC Form 3 (Revised 02/2003)

4 / 14

**II. DISBURSEMENTS****COLUMN A**  
**Total This Period****COLUMN B**  
**Election Cycle-to-Date**

17. OPERATING EXPENDITURES.....	0.00	3654.72
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	50.00	50.00
(b) Of all Other Loans.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	50.00	50.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS.....	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) >	50.00	3704.72

**III. CASH SUMMARY**

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	0.00
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page3).....	2352.00
25. SUBTOTAL (add Line 23 and Line 24).....	2352.00
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	50.00
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	2302.00



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

VIA EXPRESS MAIL

July 26, 2011

Matthew Campbell, in official capacity as Treasurer  
Matt Campbell for Congress  
P.O. Box 597  
Sioux City, IA 51101

C00473959  
AF# 2443

Dear Mr. Campbell:

On April 1, 2011, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Matt Campbell and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2010 Year End Report. The Commission also made a preliminary determination that the civil money penalty was \$312 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Dayna C. Brown".

Dayna C. Brown  
Reviewing Officer  
Office of Administrative Review

Attachment

12092680058





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

COMMISSION  
SECRETARIAT

2011 AUG 25 P 4: 28

August 25, 2011

MEMORANDUM

**SENSITIVE**

To: The Commission

Through: Alec Palmer *AP*  
Staff Director

From: Patricia Carmona *PC*  
Chief Compliance Officer

Dayna C. Brown *DB*  
Reviewing Officer  
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2443 – Matt Campbell for Congress and Matthew Campbell, in his official capacity as Treasurer (C00473959)

On April 1, 2011, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2010 Year End Report, and also made a preliminary determination that the civil money penalty was \$4,812 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 26, 2011, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation ("ROR") dated July 25, 2011 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a \$312 civil money penalty because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

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## **OAR Recommendations**

- (1) Adopt the Reviewing Officer recommendation for AF# 2443 involving Matt Campbell for Congress and Matthew Campbell, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2443 that Matt Campbell for Congress and Matthew Campbell, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed for the period (\$2,402), assess a civil money penalty of \$312 (reduced from the RTB civil money penalty of \$4,812); and
- (3) Send the appropriate letter.

12092680060

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Final Determination Recommendation: ) AF 2443  
Matt Campbell for Congress and )  
Matthew Campbell, in his official )  
capacity as Treasurer (C00473959) )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on September 08, 2011, the Commission decided by a vote of 5-0 to take the following actions in AF 2443:

1. Adopt the Reviewing Officer recommendation for AF# 2443 involving Matt Campbell for Congress and Matthew Campbell, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 2443 that Matt Campbell for Congress and Matthew Campbell, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed for the period (\$2,402), assess a civil money penalty of \$312 (reduced from the RTB civil money penalty of \$4,812).
3. Send the appropriate letter.

Commissioners Bauerly, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision. Commissioner McGahn II did not vote.

Attest:

September 8, 2011  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

12092680061



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 13, 2011

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Matthew Campbell, in official capacity as Treasurer  
Matt Campbell for Congress  
P.O. Box 597  
Sioux City, IA 51101

C00473959  
AF# 2443

Dear Mr. Campbell:

On April 1, 2011, the Federal Election Commission ("the Commission" found reason to believe that Matt Campbell for Congress and you, in your his official capacity as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2010 Year End Report. By letter dated April 4, 2011, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$4,812 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 26, 2011, the Office of Administrative Review received the written response from you challenging the RTB finding and civil money penalty.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission reduce the RTB civil money penalty because it was calculated using an estimated level of activity, make a final determination that Matt Campbell for Congress and you, in your his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the Year End Report filed May 11, 2011 (\$2,402), assess a civil money penalty in the amount of \$312 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on July 26, 2011.

On September 8, 2011, the Commission adopted the Reviewing Officer's recommendation, made a final determination that Matt Campbell for Congress and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and based on the level of activity disclosed on the 2010 Year End Report (\$2,402), assessed a civil money penalty of \$312 (reduced from the RTB civil money penalty of \$4,812). It is based on the same factors used to calculate the civil money penalty at RTB except that the actual rather than the estimated level of activity was used. A copy of the final determination memorandum is attached.

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**If You Choose to Appeal the Final Determination and/or Civil Money Penalty**

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or treasurer reside, or transact business, requesting that the final determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). The failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

**If You Choose Not to Pay the Civil Money Penalty and Not to Appeal**

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 et seq. If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

**If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the civil money penalty, send the enclosed form and payment to the address on page 3 within 30 days of receipt of this letter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Dayna Brown on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

On behalf of the Commission,

  
Cynthia L. Bauerly  
Chair

Attachment

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## ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$312 for too 2010 Year End Report.

This penalty should be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
PO Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC # 979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

### PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

-----

FOR: Matt Campbell for Congress

FEC ID#: C00473959

AF#: 2443

PAYMENT AMOUNT DUE: \$312

U.S. DEPARTMENT OF THE TREASURY  
FINANCIAL MANAGEMENT SERVICE  
DEBT COLLECTION PROGRAMS

(Cross-Servicing Program and Treasury Offset Program)

**ANNUAL DEBT CERTIFICATION AGREEMENT FOR FEDERAL NONTAX DEBTS**

This Annual Debt Certification Agreement for Federal Nontax Debts (Certification Agreement) is submitted by: Federal Election Commission (Creditor Agency).

**Section I: Background**

- A. The U.S. Department of the Treasury, Financial Management Service (FMS), provides debt collection services to Federal agencies that are owed delinquent debt.
- B. Federal agencies are generally required to submit debts that have been delinquent for 180 days to FMS for debt collection services, and may submit debts sooner if the necessary prerequisites are met. See 31 U.S.C. §§ 3711(g) and 3716(c).
- C. Upon submitting debts to FMS for debt collection services, Federal agencies are required to certify to FMS, among other things, that the debts are valid, legally enforceable, there are no bars to collection, and all requisite due process has been completed, as set forth in this Certification Agreement.
- D. The definitions of terms used in this Certification Agreement are in Attachment A, Definitions of Terms Used in Certification Agreement.

**Section II: General Provisions**

The Creditor Agency understands and agrees to the following:

- A. **Scope.** The provisions of this Certification Agreement apply to all Debts submitted by Electronic Transmission, on or after the date of this Certification Agreement, by the Creditor Agency to FMS for collection through the Cross-Servicing Program and/or the Treasury Offset Program.
- B. ☒ **Certification Authority.** Only an individual with delegated authority to certify a Debt on behalf of the Creditor Agency will submit a Debt to FMS via an Add Record or Update Record. The Creditor Agency will provide a copy of this Certification Agreement to any such individual.

Rev. October 2011

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**C. *Changes to Debt Information.***

1. The Creditor Agency understands its obligation to notify FMS: (a) of any change in the amount, validity, or legal enforceability of the Debt; and (b) if the Debt becomes subject to circumstances that legally preclude or bar collection.
2. The Creditor Agency authorizes FMS to Update Records on its behalf, in accordance with criteria established by FMS, for the purpose of adding alias Debtor name information for a Debt certified by the Creditor Agency. Creditor Agency will notify FMS as soon as it learns that any such updates are incorrect.

**Section III: Debt Certification**

The Creditor Agency understands that by submitting a Debt to FMS via an Add Record or Update Record, the individual submitting the Debt is certifying to FMS, in writing, under penalty of perjury, that, to the best of his or her knowledge and belief, the following is true and correct:

**A. *General Prerequisites for Collection.***

1. ***Valid Debts.*** The Creditor Agency has made a final determination that the Debt is valid and legally enforceable in the amount stated, and that the Debt is not subject to any circumstances that legally preclude or bar collection.
2. ***Delinquent Debts.*** The Debt is delinquent, and the Debtor is not paying the Debt in accordance with any repayment plan agreed to by the Creditor Agency.
3. ***Interest, Penalties, and Administrative Costs.*** The Creditor Agency has complied with all of the provisions of 31 U.S.C. § 3717 and 31 CFR 901.9, as well as other statutes, regulations, and policies applicable to Creditor Agency's assessment of interest, penalties, and administrative costs on the Debt. The Creditor Agency has provided a written notice to the Debtor explaining the Creditor Agency's requirements concerning the assessment of interest, penalties, and administrative costs.
4. ***Debtor Disputes.*** The Creditor Agency has considered any and all evidence presented by the Debtor disputing the Creditor Agency's determination about the Debt, and there are no pending appeals of such determination that would preclude collection of the Debt.
5. ***Collection Efforts.*** The Creditor Agency has made reasonable efforts to obtain payment of the Debt, including, at a minimum, by demanding payment of the Debt.
6. ***Creditor Agency Profile Form.*** The Creditor Agency Profile Form has been completed by the Creditor Agency and is accurate and up-to-date.



**B. General Prerequisites for Collection by Offset, including Tax Refund Offset.** If, in the Creditor Agency Profile Form, the Creditor Agency has authorized FMS to collect the Debt by offsetting Federal and State tax and nontax payments:

1. **Compliance with Offset Laws.** The Creditor Agency has complied with all of the provisions of 31 U.S.C. §§ 3716 and 3720A, 31 CFR Part 285, and the Federal Claims Collection Standards (31 CFR Parts 900-904), as may be amended, as well as other statutes, regulations and policies applicable to the collection of the Debt by offset.
2. **Due Process Prerequisites.** At least 60 days prior to the Certification Date, the Creditor Agency has provided, or made a reasonable attempt to provide, in accordance with applicable offset regulations, each Debtor with:
  - a. a written notification, at the Debtor's most current known address, of the nature and the amount of the Debt, the intention of the Creditor Agency to collect the Debt through offset, including offset of Federal and State payments, and an explanation of the rights of the Debtor;
  - b. an opportunity to inspect and copy the records of the Creditor Agency with respect to the Debt;
  - c. an opportunity for review of the Creditor Agency's determination with respect to the Debt, including an opportunity to present evidence that all or part of the Debt is not delinquent or legally enforceable; and
  - d. an opportunity to enter into a written repayment agreement with the Creditor Agency.
3. **Due Process Prerequisites for Certain Older Debts.** For a Debt outstanding more than ten years on or before December 28, 2009, the Creditor Agency sent the notice described in Section III.B.2.a to the last known address of the Debtor after the Debt was outstanding for more than ten years, and afforded the Debtor the opportunities described in Sections III.B.2.b. - III.B.2.d, at that time. This requirement does not apply to any Debt that could be collected by offset without regard to any time limitation prior to December 28, 2009.

**C. Prerequisites for Collection by Federal Salary Offset.** If, through a Salary Offset Instruction, the Creditor Agency has authorized FMS to collect the Debt by offsetting Federal salary payments:

1. **Compliance with Federal Salary Offset Laws.** The Creditor Agency has complied with all of the provisions of 5 U.S.C. § 5514, 5 CFR §§ 550.1101-1110, and 31 CFR 285.7, as may be amended, as well as other statutes, regulations and policies applicable to collection by salary offset; and

2. ***Due Process Prerequisites*** At least 60 days prior to the Certification Date, the Creditor Agency has provided, or made a reasonable attempt to provide, in accordance with applicable offset regulations, each Debtor with the notification and opportunities required by Sections III.B.2. and III.B.3., and any other notices, opportunities, or considerations required for Federal salary offset.

D. ***Consumer Reporting Agencies.*** If, in the Creditor Agency Profile Form, the Creditor Agency has authorized FMS to disclose Debts to consumer reporting agencies:


1. ***Compliance with Consumer Reporting Agency Requirements.*** The Creditor Agency has complied with all of the provisions of 31 U.S.C. § 3711(e) and the Federal Claims Collection Standards, as well as other statutes, regulations, and policies applicable to the reporting of a delinquent Debt to consumer reporting agencies.
2. ***Notice Prerequisites.*** At least 60 days prior to the Certification Date, the Creditor Agency provided the Debtor with:
  - a. notification that the Debt is overdue and the Creditor Agency intends to disclose that the Debtor is responsible for the Debt to a consumer reporting agency;
  - b. the specific information to be disclosed to the consumer reporting agency; and
  - c. the Debtor's rights to an explanation of the claim, dispute the information in the Creditor Agency's records about the claim, and an administrative appeal or review of the claim; and
3. ***Review Prerequisites.*** Upon the request of a Debtor, the Creditor Agency has provided for a review of the Debtor's claim(s), including an opportunity for reconsideration of the initial decision on the Debt.

[Signature Page Follows]

Certification Agreement

**Section IV: Certification**

By signing below, I certify that I have delegated authority to execute this Certification Agreement on behalf of the head of Creditor Agency.

  
Print Name: Mary Sprague  
Title: CFO  
Date: 12/14/11

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a. ***No Offset of Federal Salary Payments.*** To direct that FMS not collect a Debt through the offset of Federal salary payments, the Creditor Agency must:

- i. transmit the file with a Record Type 6 containing an A in the Action Field and SAL in the Payment Bypass Indicator Field;
- ii. indicate in the Creditor Agency's Agency Profile (i.e., the default settings established by the Creditor Agency) that Federal salary payments should not be offset;
- iii. manually check the "salary by-pass" column online through the Debtor Detail Screen; or
- iv. follow other relevant guidance in the FMS Technical Guidance regarding how to bypass salary payments.

b. ***Offset Federal Salary Payments.*** The Creditor Agency directs FMS to collect a Debt through the offset of Federal salary payments as follows:

- i. if the Creditor Agency submits a Debt to FMS without a specific indication that the Debt should not be collected through the offset of Federal salary payments (see paragraph 11.a. of this Attachment A, above), the Creditor Agency has indicated that the Debt should be collected through the offset of Federal salary payments;
- ii. if the Creditor Agency has previously indicated that Federal salary payments not be offset, to indicate that Federal salary payments be offset, the Creditor Agency must:
  - (a) send a Record Type 6 with a D in the Action Field and SAL in the Payment Bypass Indicator Field;
  - (b) send a Record Type 6 with a U in the Action Field and SAL in the Payment Bypass Indicator Field; or
  - (c) indicate in the Creditor Agency's Agency Profile (i.e., the default settings established by the Creditor Agency) that Federal salary payments should be offset; or
- iii. the Creditor Agency must follow other relevant guidance in the FMS Technical Guidance regarding how to offset Federal salary payments.

**12. Treasury Offset Program or TOP.** "Treasury Offset Program" or "TOP" means the FMS's debt matching and payment offset program that uses payment and debt data received from Federal agencies and States to collect delinquent debt from payments disbursed by FMS and other Federal and State disbursing agencies.



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2443

DATE SCANNED 2-15-12

SCANNER NO. 2

SCAN OPERATOR JMP

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